

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: SOLOMON=1R

In re Application of:)	Conf. No.: 3910
)	
Beka SOLOMON)	Art Unit: 1649
)	
Appln. No.: 09/441,140)	Examiner: K. Ballard
)	
Filed: November 16, 1999)	Washington, D.C.
)	
For: PREVENTION OF PROTEIN)	May 10, 2010
AGGREGATION)	
)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated December 10, 2009, of the Primary Examiner. The claims appealed are claims 177 and 210-228.

The item(s) checked below are appropriate:

 Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

X The fee has been calculated as shown below:

<u>X</u>	\$540.00
<u> </u>	\$270.00 (small entity)
<u> </u>	Not required (fee paid in prior appeal)

X Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity		Other Than Small Entity	
Response Filed Within		Response Filed Within	
[]	First - \$ 65.00	[]	First - \$ 130.00
[]	Second - \$245.00	[XX]	Second - \$ 490.00
[]	Third - \$555.00	[]	Third - \$1110.00
	month after time period set		month after time period set

[X]Less fees (\$490.00) already paid for 2 months extension of time on May 10, 2010.

XXX Credit Card Payment online, authorizing the amount of \$540.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: /rlb/

Roger L. Browdy
Registration No. 25,618

Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\IR\ramq\Solomon1R\PTol\2010-05-10NoticeofAppeal.doc